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7 Attorneys for Defendant, Counterclaimant
and Third Party Plaintiff
8 JDS UNIPHASE CORPORATION

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

12 ARSAPE S.A.,

13 Plaintiff,

14 vs.

15 JDS UNIPHASE CORPORATION,

16 Defendant.

17 JDS UNIPHASE CORPORATION,

18 Third-Party Plaintiff,

19 vs.

20 DONOVAN MICRO-TEK INCORPORATED,

21 Third Party Defendant,

22 AND RELATED COUNTERCLAIMS.
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Case No. C 03 04535 JW

STIPULATION RE DISMISSAL WITH
PREJUDICE AND ~~PROPOSED~~ ORDER

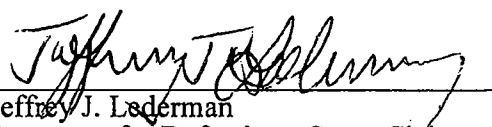
1 Plaintiff and counter-defendant Arsape S.A ("Arsape"), third party defendant Donovan
2 Micro-Tek, Incorporated ("DMT") and defendant, counterclaimant and third party plaintiff JDS
3 Uniphase Corporation ("JDSU"), by and through their counsel, hereby stipulate to the following:

- 4 1. The parties have entered into a settlement agreement to resolve the litigation;
5 2. Based on the terms of the settlement agreement, Arsape agrees to dismiss its
6 Complaint with prejudice, and JDSU agrees to dismiss its Counterclaim and Third Party Complaint
7 with prejudice, pursuant to Federal Rule of Civil Procedure 41(a).

8
9 IT IS SO STIPULATED.

10 Dated: September 18, 2006

WINSTON & STRAWN LLP

11
12 By 
13 Jeffrey J. Lederman
14 Attorneys for Defendant, Cross-Claimant and
15 Third Party Plaintiff JDS UNIPHASE
16 CORPORATION

16 Dated: September 18, 2006

LAW OFFICES OF GAYLORD A. VIRDEN

17
18 By: _____
19 GAYLORD A. VIRDEN
20 Attorneys for Plaintiff and Cross-Defendant
21 ARSAPE, S.A. and Third Party Defendant
22 DONOVAN MICRO-TEK, INC.
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1 Plaintiff and counter-defendant Arsape S.A. ("Arsape"), third party defendant Donovan
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6 Complaint with prejudice, and JDSU agrees to dismiss its Counterclaim and Third Party Complaint
7 with prejudice, pursuant to Federal Rule of Civil Procedure 41(a).
8

9 IT IS SO STIPULATED.

10 Dated: September 18, 2006

WINSTON & STRAWN LLP

11 By Jeffrey I. Laderman
12
13 Jeffrey I. Laderman
14 Attorneys for Defendant, Cross-Claimant and
15 Third Party Plaintiff JDS UNIPHASE
16 CORPORATION

16 Dated: September 18, 2006
17 Oct 1, 2006

LAW OFFICES OF GAYLORD A. VIRDEN

18 By: Gaylord A. Virden
19
20 GAYLORD A. VIRDEN
21 Attorneys for Plaintiff and Cross-Defendant
22 ARSAPE, S.A. and Third Party Defendant
23 DONOVAN MICRO-TEK, INC.
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STIPULATION RE DISMISSAL WITH PREJUDICE AND (PROPOSED) ORDER

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that the Complaint, Counterclaim and Third Party Complaint are hereby dismissed with prejudice.

Dated: ~~September~~_____, 2006 Oct. 3, 2006


THE HONORABLE JAMES WARE

SF:141603.1

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